



General Assembly

February Session, 2008

Raised Bill No. 532

LCO No. 2262

02262_____GL_

Referred to Committee on General Law

Introduced by:
(GL)

***AN ACT CONCERNING DRUG DETECTION DOGS AND THE
DEPARTMENT OF CONSUMER PROTECTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-262 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The Commissioner of Consumer Protection may receive, take
4 into custody or destroy excess or undesired controlled substances and
5 may in his discretion deliver, upon application, to any hospital,
6 laboratory, incorporated college, scientific institution or any state or
7 municipal agency or institution not operated for private gain, any
8 controlled substances that have come into his custody by authority of
9 this section. In the case of a care-giving or correctional or juvenile
10 training institution having an institutional pharmacy, the
11 Commissioner of Consumer Protection shall deliver such controlled
12 substances only to the licensed pharmacist in charge of such
13 pharmacy. The Commissioner of Consumer Protection may receive
14 and take into custody excess or undesired controlled substances from
15 pharmacists, manufacturers and wholesalers or any other registrant.
16 Said commissioner shall keep a full and complete record of all

17 substances received and of all substances disposed of, showing the
18 exact kinds, quantities and forms of such substances, the persons from
19 whom received and to whom delivered, by whose authority received,
20 delivered and destroyed, and the dates of the receipt, disposal or
21 destruction. Controlled substances and preparations shall at all times
22 be properly safeguarded and securely kept. Minimum security and
23 safeguard standards for the storage, manufacture, sale or distribution
24 of all controlled substances shall be established by regulations adopted
25 hereunder. Controlled substances seized or held as contraband or
26 controlled substances, the title to which cannot be resolved, which
27 controlled substances are not held by law enforcement agencies or
28 court officials as evidence in criminal proceedings, shall be, upon the
29 order of the court, destroyed by the seizing authority or delivered to
30 the Commissioner of Consumer Protection as soon as possible upon
31 resolution of the case or upon ascertaining the status of the unclaimed
32 substance. The agent of the Commissioner of Consumer Protection
33 shall issue a receipt for all such substance obtained. The Commissioner
34 of Consumer Protection may provide access to such substance to any
35 person using such substance to train dogs in the detection of such
36 substance, provided such person is certified by the commissioner and
37 the United States Drug Enforcement Administration to possess such
38 substance. Any loss, destruction or theft of controlled substances shall
39 be reported by a registrant within seventy-two hours to the
40 Commissioner of Consumer Protection as follows: (1) Where, through
41 breakage of the container or other accident, otherwise than in transit,
42 controlled substances are lost or destroyed, the person having title
43 thereto shall make a signed statement as to the kinds and quantities of
44 controlled substances lost or destroyed and the circumstances
45 involved, and immediately forward the statement to the Commissioner
46 of Consumer Protection. A copy of such statement shall be retained by
47 the registrant; (2) where controlled substances are lost by theft, or
48 otherwise lost or destroyed in transit, the consignee shall, immediately
49 upon ascertainment of the occurrence, file with the Commissioner of
50 Consumer Protection a signed statement of the facts, including a list of

51 the controlled substances stolen, lost or destroyed and documentary
 52 evidence that the local authorities were notified. A copy of the
 53 statement shall be retained by the registrant. As used in this section,
 54 "care-giving institution", "correctional or juvenile training institution",
 55 "institutional pharmacy" and "pharmacist" shall have the same
 56 meaning as used in section 20-571 of the 2008 supplement to the
 57 general statutes.

58 (b) For each long-term care facility, two or more of the following
 59 persons may jointly dispose of excess stock of controlled substances: A
 60 nursing home administrator, a pharmacist consultant, a director of
 61 nursing services or an assistant director of nursing services. Such
 62 facility shall maintain documentation of any such destruction and
 63 disposal for a period of three years and such documentation shall be
 64 maintained in a separate log and on a form prescribed by the
 65 department.

66 (c) For each outpatient surgical facility, as defined in section 19a-
 67 493b, two or more of the following persons may jointly dispose of
 68 excess stock of controlled substances: An administrator, a clinical
 69 director or chief of staff, or a nursing supervisor. Such facility shall
 70 maintain documentation of any such destruction and disposal for a
 71 period of three years and such documentation shall be maintained in a
 72 separate log and on a form prescribed by the department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	21a-262

Statement of Purpose:

To allow properly certified persons who train drug detection dogs to obtain controlled substances for training purposes from the Commissioner of Consumer Protection.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]